

1954

Feb. 17

Copy in E54

Mr. Roy Y. Lang
Director of Personnel
Division of Personnel
State House

Re: Sick Leave or Annual Pay for Law Enforcement Employees

Dear Mr. Lang:

In reply to your letter of February 16, 1954 and in furtherance of conference this afternoon with you and Mr. Frank Harrington, Division of Accounts, I advise as follows.

In view of the fact that it has been an administrative custom not to pay overtime to law enforcement employees but to have them on a set salary basis, with the sole exception of extra pay for holidays worked, the fact that the Legislature did not restrict the 4 hours per week increase "to be in the form of overtime that is actually worked" in amending laws 1953, chapter 211, section 2 by the enactment of Laws of 1953, chapter 266, section 12, indicates that the Legislature had in mind this previously existing administrative distinction in regard to law enforcement employees as compared with custodial and trade employees.

Therefore you are advised that the law enforcement employees who are on annual or sick leave should have the additional 4 hours provided by section 12, chapter 266, Laws of 1953 included in their pay.

The added compensation provided by these 1953 laws is a permanent salary increase for law enforcement employees and "hours per week allowable for compensation to be in the form of overtime that is actually worked" for custodial and trade employees.

Hamilton S. Putnam, Executive Secretary of the New Hampshire State Employees Association has asked the same question which you asked in your request for opinion, and I am sending to him a copy of this, my opinion to you, as it covers the questions raised by him.

Very truly yours,

George F. Nelson
Assistant Attorney General

cc: Mr. Frank Harrington
Hamilton S. Putnam

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